## **REMARKS**

This Preliminary Amendment is made in this divisional application to lay claim to embodiments of the present invention not claimed in the parent application, and to place the claims of this divisional application in conformance with U.S. patent practice. These amendments are not in derogation of any prior art, and Applicant respectfully asserts that it is entitled to the claims as amended and any equivalents thereof.

Claims 1-27 were originally pending in this case. Upon entry of this Amendment, Claims 1-27 will be cancelled and Claims 28-40 will be newly added, thus leaving Claims 28-40 pending in the case.

Claims 28 - 40 are quite similar to those in the allowed grandparent case, U.S. Patent Application Serial No. 09/623,016 filed October 23, 2000 (the "parent case") and parent case, U.S. Patent Application Serial No. 10/137,763. However, in the grandparent case, the CKE moiety identified as formula (1) in its Claim 1 was pursued, and in the parent case the CKE moiety identified as the formula (2) in its Claim 1 was pursued, while the CKE moiety identified as formula (4) in originally pending Claim 1 is being claimed in pending Claims 28-40 of the present case.

Review, consideration and allowance of Claims 28-40 are respectfully requested.

Respectfully submitted,

Raymond J. Harmuth

Attorney for Applicants

Reg. No. 33,896

Bayer Corporation 100 Bayer Road Pittsburgh, Pennsylvania 15205-9741 (412) 777-3916 FACSIMILE PHONE NUMBER: (412) 777-3902 s/rmc/rjh/0229